

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOHN WESLEY BOLTON,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-05-1205-HE
)	
ERIC FRANKLIN, et al.,)	
)	
Respondents.)	

ORDER

Petitioner, a state prisoner appearing pro se, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Robert E. Bacharach who issued his Report and Recommendation, recommending that the petition be denied. In particular, Judge Bacharach determined that petitioner's claims of improper enhancement of his sentence, ineffective assistance of counsel and denial of equal protection did not warrant federal habeas corpus relief. The matter is currently before the court on petitioner's objection to the Report and Recommendation.¹

Having considered the matter de novo, the court concurs with Judge Bacharach's conclusion that petitioner is not entitled to habeas corpus relief. Accordingly, for substantially the same reasons set forth in the Report and Recommendation, the Report and

¹*Because petitioner has objected to the Report and Recommendation, the matter is reviewed de novo. 28 U.S.C. § 636(b)(1)(C).*

Recommendation is **ADOPTED** in its entirety. Petitioner's petition for writ of habeas corpus is **DENIED**.

IT IS SO ORDERED.

Dated this 28th day of March, 2006.



JOE HEATON
UNITED STATES DISTRICT JUDGE